

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
PECOS DIVISION

J.P. BRYAN,

Plaintiff,

vs.

UNION PACIFIC RAILROAD  
COMPANY and UNION PACIFIC  
CORPORATION,

Defendants.

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Cause No.: 4:19-cv-00016

**SUBJECT TO ANY AND ALL FEDERAL RULE OF CIVIL PROCEDURE 12(B)  
DEFENSES, DEFENDANT UNION PACIFIC RAILROAD COMPANY AND UNION  
PACIFIC CORPORATION'S NOTICE OF REMOVAL**

To: H.E Mendez  
212 Losoya, Ste 5  
San Antonio, TX 78205

Fred R. Jones  
Michael R. Hedles  
Goode Caseb Jones  
Ricklin Choate & Watson, PC  
PO Box 120480  
San Antonio, TX

Subject to any and all Federal Rule of Civil Procedure 12(b) defenses, and pursuant to sections 1441 and 1446, Title 28 of the United States Code, Union Pacific Railroad Company and Union Pacific Corporation file this Notice of Removal, removing Cause Number cvb19296 from the 394th Judicial District Court in Brewster County, Texas, to the United States District Court for the Western District of Texas.

1. Plaintiffs initiated this action on April 4, 2019 in the 394<sup>th</sup> Judicial District Court Brewster County, Texas case number cvb19296. Plaintiffs are seeking compensatory damages based upon injuries allegedly sustained as a result of trespass that occurred in and around their

property located in Marathon, Brewster County, Texas. Plaintiffs first served Union Pacific with a copy of the Summons and Complaint on April 16, 2019; therefore, pursuant to 28 U.S.C § 1446(b), this notice of removal is filed timely. A copy of the Complaint, and Summons, which constitute all process, pleadings, and orders that have been served in such action, are attached hereto.

2. There is complete diversity between the parties. The amount in controversy exceeds that required for federal jurisdiction. Consequently, this case is properly removed to Federal Court pursuant to 28 U.S.C. §1332 and §2201.

3. Notice of this Notice of Removal is being provided to the District Court 394<sup>th</sup> Judicial District Brewster County, Texas, and Plaintiff's attorneys of record.

WHEREFORE, Defendants UNION PACIFIC RAILROAD COMPANY and UNION PACIFIC CORPORATION gives notice that this case has been removed from the 394th Judicial District Court Brewster County, Texas to the United States District Court for the Western District of Texas.

*<Signature page follows.>*

Respectfully submitted,

RINCON LAW GROUP, P.C.  
1014 N. Mesa, Suite 200  
El Paso, Texas 79902  
(915) 532-6800 (Telephone)  
(915) 532-6808 (Facsimile)

By: /s/ Ancel Escobar

CARLOS RINCON  
State Bar No. 16932700  
CRincon@RinconLawGroup.com  
ANCEL E. ESCOBAR  
State Bar No. 24101171  
AEscobar@RinconLawGroup.com

*Attorneys for Union Pacific Railroad Company  
and Union Pacific Corporation*

**CERTIFICATE OF SERVICE**

I certify a true and correct copy of the foregoing document was served via electronic service on Plaintiffs through their counsel of record on this 2nd day of May 2019.

/s/ Ancel Escobar  
Ancel E. Escobar